

PARENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 21 August 2001 (21.08.01)	
International application No. PCT/US00/33740	Applicant's or agent's file reference 3442/2H674-WO
International filing date (day/month/year) 13 December 2000 (13.12.00)	Priority date (day/month/year) 13 December 1999 (13.12.99)
Applicant PETERS, Dirk et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

24 May 2001 (24.05.01)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Zakaria EL KHODARY

Telephone No.: (41-22) 338.83.38

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PATENT COOPERATION TREATY

RECD 13 JAN 2001

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 3442/2H674WO	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US00/33740	International filing date (day/month/year) 13 DECEMBER 2000	Priority date (day/month/year) 13 DECEMBER 1999
International Patent Classification (IPC) or national classification and IPC IPC(6): GO6F 17/60 and US Cl.: 705/36		
Applicant OPTIMIZEUSA.COM		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 24 MAY 2001	Date of completion of this report 10 JULY 2001
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer FRANTZY POINTE <i>James R. Matthews</i>
Facsimile No. (703) 305-3230	Telephone No. (703) 305-9779

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/33740

I. Basis of the report**1. With regard to the elements of the international application:***

- ☐ the international application as originally filed
- ☒ the description:
pages _____ (See Attached) _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the claims:
pages _____ (See Attached) _____, as originally filed
pages _____, as amended (together with any statement) under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the drawings:
pages _____ (See Attached) _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the sequence listing part of the description: (See Attached) _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages _____ NONE _____
- ☒ the claims, Nos. _____ NONE _____
- ☒ the drawings, sheets/fig _____ NONE _____

5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).¹¹

** Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).*

***Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.*

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/33740

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. statement**

Novelty (N)	Claims <u>1-23</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-23</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-23</u>	YES
	Claims <u>NONE</u>	NO

2. citations and explanations (Rule 70.7)

Claims 1-23 meet the criteria set out in PCT Article 33(2)-(4), because:

The prior art taken alone or in combination failed to teach or suggest recommending portfolio changes to correlate the investment risk classification with the user's risk profile taken in combination with an automated investment advisory system as recited in independent claim 1.

The prior art taken alone or in combination failed to teach or suggest transmitting a populated template representing the optimized investment portfolio to the station across the distributed computer network taken in combination in a distributed computer network in which a user desiring an optimized investment portfolio as recited in independent claim 12.

The prior art taken alone or in combination failed to teach or suggest an optimization engine which generates an output by which the investment risk is correlated with the risk profile taken in combination in an automated investment advisory system as recited in independent claim 14.

NEW CITATIONS _____

RANFTLE ET AL., HRMAGAZINE V38N11, PP:77-82, NOVEMBER 1993, ISSN: 1047-3149, DIALOG FILE 15, ACCESSION NO. 00794493.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/33740

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

I. BASIS OF REPORT:

This report has been drawn on the basis of the description,
page(s) 1-30, as originally filed.
page(s) NONE, filed with the demand.
and additional amendments:
NONE

This report has been drawn on the basis of the claims,
page(s) NONE, as originally filed.
page(s) NONE, as amended under Article 19.
page(s) NONE, filed with the demand.
and additional amendments:
PAGES 31-35, FILED WITH THE RESPONSE OF 15 OCTOBER 2001.

This report has been drawn on the basis of the drawings,
page(s) 1-20, as originally filed.
page(s) NONE, filed with the demand.
and additional amendments:
NONE

This report has been drawn on the basis of the sequence listing part of the description:
page(s) NONE, as originally filed.
pages(s) NONE, filed with the demand.
and additional amendments:
NONE

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: LISA J. L. ULRICH
DARBY & DARBY P.C.
805 THIRD AVENUE
NEW YORK, NY 10022 7513

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year)

22 JAN 2002

Applicant's or agent's file reference

3442/2H674WO

IMPORTANT NOTIFICATION

International application No.

PCT/US00/33740

International filing date (day/month/year)

13 DECEMBER 2000

Priority Date (day/month/year)

13 DECEMBER 1999

Applicant

OPTIMIZEUSA.COM

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US

Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

FRANTZY POINVIL

Telephone No. (703) 305-9779

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PATENT COOPERATION TREATY

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(PCT Article 36 and Rule 70)

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pages _____, as amended (together with any statement) under Article 19
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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Novelty (N)

Claims	<u>1-23</u>	YES
Claims	<u>NONE</u>	NO

Inventive Step (IS)

Claims	<u>1-23</u>	YES
Claims	<u>NONE</u>	NO

Industrial Applicability (IA)

Claims	<u>1-23</u>	YES
Claims	<u>NONE</u>	NO

2. citations and explanations (Rule 70.7)

Claims 1-23 meet the criteria set out in PCT Article 33(2)-(4), because:

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Continuation of: Boxes I - VIII

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page(s) NONE, filed with the demand.
and additional amendments:
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pages(s) NONE, filed with the demand.
and additional amendments:
NONE

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INTERNATIONAL SEARCH REPORT

International application No.
PCT/US00/33740

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) :G06F 17/60

US CL :705/36

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 705/1, 35-40; 707/100-104

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A,P	US 6,134,535 A (BELZBERG) 17 OCTOBER 2000, SEE ENTIRE DOCUMENT.	1-23
A,P	US 6,018,722 A (RAY ET AL.) 25 JANUARY 2000, SEE ENTIRE DOCUMENT.	1-23
A	US 5,946,666 A (NEVO ET AL.) 31 AUGUST 1999, SEE ENTIRE DOCUMENT.	1-23
A	US 5,812,987 A (LUSKIN ET AL.) 22 SEPTEMBER 1998, SEE ENTIRE DOCUMENT.	1-23

☐ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier document published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

13 MARCH 2001

Date of mailing of the international search report

20 APR 2001

Name and mailing address of the ISA/US
Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

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Authorized officer

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